

1 S.65

2 Introduced by Senators Sirotkin, Cummings, and Sears

3 Referred to Committee on

4 Date:

5 Subject: Court procedure; conduct of trial; verdict in civil actions

6 Statement of purpose: This bill proposes to permit a jury verdict or finding in  
7 a civil action if the verdict or finding is unanimous or if one member of the  
8 jury dissents.

9 An act relating to nonunanimous jury verdicts in civil actions

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 12 V.S.A. § 1950 is added to read:

12 § 1950. NUMBER OF JURORS REQUIRED FOR A VERDICT IN A CIVIL

13 ACTION

14 (a) In a civil action, unless the parties stipulate otherwise, the verdict or  
15 finding of the jury shall be unanimous or with not more than one juror  
16 dissenting.

17 (b) This section shall not affect the ability of the parties to stipulate that the  
18 jury may consist of any number fewer than 12 or that a verdict or a finding of a  
19 stated majority of the jurors shall be taken as the verdict or finding of the jury  
20 as provided by Rule 48 of the Vermont Rules of Civil Procedure.

1       Sec. 2. REPORT FROM COURT ADMINISTRATOR

2           On or before January 15, 2018, the Office of the Court Administrator shall  
3       report to the Senate and House Committees on Judiciary on the implementation  
4       and the identifiable effects of this act. The report shall address whether the  
5       number of hung juries or the average amount of damages awarded has changed  
6       since adoption of this act, whether there are any positive or negative impacts  
7       on the court system itself, and any appropriate recommendations, including  
8       whether this act should be repealed as provided in Sec. 3 of this act.

9       Sec. 3. SUNSET

10           On January 15, 2019, Sec. 1 of this act (nonunanimous jury verdicts in civil  
11       actions) is repealed.

12       Sec. 4. EFFECTIVE DATE

13           This act shall take effect on July 1, 2015.